

Legal and Policy Subcommittee
October 5, 2010
Meeting minutes

Present: Charles Covin, Jill Kentfield, Marianne Horn, Helen George, Phyllis Hyman, Kenneth Dardick, John Lynch, Lisa Boyle, Mark Laudemberger and Marcia Petrillo

1. Opening Remarks: Discussion took place at the last HITE-AC meeting regarding keeping subcommittees intact. If members no longer want to serve on the subcommittee, please send an e-mail to Lisa Boyle and Marianne Horn. Members of the HITE-CT Board of Directors will be asked to join the subcommittee.

Lisa Boyle, seconded by Helen George made a motion to approve the September 8th meeting minutes. Motion carried unanimously.

2. Update on Statewide Health Information Exchange Strategic and Operational Planning: It will be approximately 3-4 months before the rest of the HIE funding will be released from the ONC.

3. HIPAA Preemption Analysis: A legal intern from DPH has been engaged to finish the preemption analysis. This person will be housed at Robinson and Cole and starts Friday, October 8, 2010. Discussion took place regarding some of the research of statutes, conducted by subcommittee members, to determine if the current state law is preempted by HIPAA and whether any of the statutes might present a barrier to PHI entering the HIE without consent.

4. Legal gaps and barriers: Legislative Proposals: Discussion took place regarding other states "clean-up" statutes to allow for the electronic exchange of health information. Helen George commented on the legislation she proposed. The decision needs to be made as to whether the HIE will be a record locator or an official health information exchange. Marianne will check with Gartner to see if they have any pros and cons regarding the record locator. The subcommittee's goal is to ensure information being entered into the health information exchange does not constitute a violation of statutes. Information being sent out of the HIE will need specific consent for certain sensitive information.

5. Public Comments: There were no public comments

The next meeting of the Legal and Policy subcommittee will take place on November 9, 2010 at 8:30 a.m. at the Department of Information Technology.

